

Translation

Rec'd PCT/PTO

14 FEB 2005/5

PATENT COOPERATION TREATY

PCT/JP2003/012199



PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference P32073-P0	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/JP2003/012199	International filing date (day/month/year) 25 September 2003 (25.09.2003)	Priority date (day/month/year) 26 September 2002 (26.09.2002)
International Patent Classification (IPC) or national classification and IPC G11B 27/10, 20/10, 27/00		
Applicant MATSUSHITA ELECTRIC INDUSTRIAL CO., LTD.		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of <u>6</u> sheets, including this cover sheet. <input type="checkbox"/> This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT). These annexes consist of a total of _____ sheets.
3. This report contains indications relating to the following items: I <input checked="" type="checkbox"/> Basis of the report II <input type="checkbox"/> Priority III <input type="checkbox"/> Non-establishment of opinion with regard to novelty, inventive step and industrial applicability IV <input type="checkbox"/> Lack of unity of invention V <input checked="" type="checkbox"/> Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement VI <input type="checkbox"/> Certain documents cited VII <input type="checkbox"/> Certain defects in the international application VIII <input type="checkbox"/> Certain observations on the international application

Date of submission of the demand 03 December 2003 (03.12.2003)	Date of completion of this report 07 April 2004 (07.04.2004)
Name and mailing address of the IPEA/JP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/JP2003/012199

I. Basis of the report

1. With regard to the elements of the international application:*

- ☒ the international application as originally filed
- ☐ the description:
pages _____, as originally filed
pages _____, filed with the demand
pages _____, filed with the letter of _____
- ☐ the claims:
pages _____, as originally filed
pages _____, as amended (together with any statement under Article 19
pages _____, filed with the demand
pages _____, filed with the letter of _____
- ☐ the drawings:
pages _____, as originally filed
pages _____, filed with the demand
pages _____, filed with the letter of _____
- ☐ the sequence listing part of the description:
pages _____, as originally filed
pages _____, filed with the demand
pages _____, filed with the letter of _____

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language _____ which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/fig _____

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rule 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International Application No.
PCT/JP 03/12199

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1-19	YES
	Claims		NO
Inventive step (IS)	Claims	15-16	YES
	Claims	1-14, 17-19	NO
Industrial applicability (IA)	Claims	1-19	YES
	Claims		NO

2. Citations and explanations

Claims 1-2, 12 and 17-19

Document 1 (JP 11-259958 A (Sony Corp.), 24 September 1999, paragraphs [0023] to [0026]) discloses a device and method whereby information for resuming recording is recorded into the memory of a recording and reproduction device.

Document 2 (JP 11-134842 A (Sony Corp.), 21 May 1999, entire text, all drawings) discloses a device and a method whereby the UTOC data that has been recorded into the memory of a recording and reproduction device is recorded into the management area of a recording medium.

Therefore, it would be obvious to a person skilled in the art to apply the commonly used feature disclosed in document 2, wherein information that is related to a recording medium that has been subjected to recording is recorded upon said recording medium, to the device and the method disclosed in document 1.

In addition, it would also be obvious to a person skilled in the art to configure a program from a recording control method for a recording medium.

Claims 3 and 5

Document 3 (JP 2002-208227 A (Toshiba Corp.), 26 July 2002, paragraph [0053]) discloses a recording medium

that contains post-recorded audio information files.

In addition, interleave recording is commonly used as a method for recording information upon a recording medium.

Therefore, it would be obvious to a person skilled in the art to employ the technical feature disclosed in document 3 when conducting post-recording, which is common practice.

Claim 4

Document 4 (JP 2002-251829 A (Toshiba Corp.), 06 September 2002, paragraph [0312]) discloses the feature of including video attributes that express the attributes of a file.

The inventions disclosed in document 1 and the invention disclosed in document 4 both pertain to optical disks; therefore, it would be obvious to a person skilled in the art to apply the technical feature disclosed in document 4 to the invention disclosed in document 1.

Claim 6

Document 5 (JP 11-203837 A (Sony Corp.), 30 July 1999, paragraph [0071]) discloses loop recording.

It is common practice to set flags when recording upon a recording medium; therefore, it would be obvious to a person skilled in the art to set flags that indicate whether or not recording was conducted by means of loop recording.

Claims 7-9, 11 and 13

Document 6 (JP 2001-101789 A (Sony Corp.), 13 April 2001, paragraph [0078]) discloses the feature of using validity flags in order to determine the validity of data.

As indicated above, it is common practice to set valid/invalid flags; therefore, it would be obvious to a

person skilled in the art to control the validity flags even with regards to the recording medium disclosed in document 1.

In addition, it is common practice to gang (group) streamed data for recording, as disclosed in document 3 (paragraph [0052]).

Claim 10

Document 7 (JP 2002-25235 A (Hitachi Ltd.), 25 January 2002, paragraph [0028]) discloses the feature of recording the date and time that reproduction operations were conducted after the completion thereof.

In general, this feature is well known in recording and reproducing as a way of controlling the management of a recording medium; therefore, it would be obvious to a person skilled in the art to apply the technical feature disclosed in document 7 to the device and method disclosed in document 1.

Claim 14

Document 8 (JP 2000-268497 A (Matsushita Electric Ind. Co., Ltd.), 29 September 2000, paragraph [0040]) discloses optical disks with uniquely assigned IDs.

The inventions disclosed in documents 1 and 8 both pertain to optical disks; therefore, it would be obvious to a person skilled in the art to apply the invention disclosed in document 8 to the device and method disclosed in document 1.

Claims 15-16

Document 1 defines the general state of the art in the technical field in question, and discloses the feature of recording information for resuming. However, the technical feature of establishing groups into which new video data files and new additional data files are sorted

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International Application No.

PCT/JP 03/12199

is not disclosed or suggested in any of the documents that are cited in the international search report.